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Samuel H. Rudman, Esq.
srudman@lerachlaw.com

June 11, 2007

VIA ELECTRONIC FILING

Honorable Patti B. Saris
United States District Court
District of Massachusetts
John Joseph Moakley U.S. Courthouse
One Courthouse Way – Suite 2300
Boston, MA 02210

Re: *divine*
04-12263-PBS

Dear Judge Saris:

The parties to the above-captioned litigation respectfully request a continuance of the status conference scheduled for Wednesday, June 13, 2007.

As the Court is aware, Plaintiffs and *divine's* bankruptcy Trustee have reached an agreement in principle to resolve the Trustee's opposition to the settlement of this action. That agreement is contingent upon the Trustee's settlement with *divine's* former directors. I was informed today by counsel for the Trustee that his agreement with the directors is almost complete, but that it is not yet done, although he expects it to happen shortly. Therefore, it would be premature for the Court to set Notice and Final Approval dates in the case at this time.

The parties apologize for having to seek this second continuance, and respectfully request that the Court continue the status conference for 45 days to permit the parties to present revised preliminary approval papers to the Court.

Respectfully submitted,

A handwritten signature in black ink, appearing to be "SR", written over the printed name Samuel H. Rudman.

Samuel H. Rudman

SHR/PAF

cc: via Facsimile
All Counsel

Divine (04-12263-PBS)

Service List – 06/11/07

Counsel for Defendants

Thomas D. Brooks
Sperling & Slater
55 West Monroe Street, Suite 3200
Chicago, IL 60603
Telephone: 312/641-3200
312/641-6492 (fax)

John F. Hartmann
Michael A. Duffy
Kirkland & Ellis, LLP
200 E. Randolph Drive
Chicago, IL 60601
Telephone: 312/861-2000
312/861-2200 (fax)

Samuel B. Isaacson
Joseph E. Collins
DLA Piper Rudnick Gray Cary US LLP
203 North LaSalle Street, #1900
Chicago, IL 60601-1293
Telephone: 312/368-4000
312/251-5862 (fax)

Joel Chefitz
James Hanlon, Jr.
Howrey Simon Arnold & White, LLP
321 North Clark Street, Suite 3400
Chicago, IL 60610
Telephone: 312/595-1522
312-595-2250 (fax)

Counsel for Plaintiffs

Howard T. Longman
Stull Stull & Brody
6 East 45th Street
New York, NY 10017
Telephone: 212/687-7230
212/490-2022 (fax)

David Pastor
Gilman and Pastor, LLP
Stonehill Corporate Center
999 Broadway, Suite 500
Saugus, MA 01906
Telephone: 781/231-7850
781/231-7840 (fax)

Marc M. Umeda
Robbins, Umeda & Fink
610 West Ash Street, Suite 1800
San Diego, CA 92101
Telephone: 619/525-3990
619/525-3991 (fax)

Samuel H. Rudman
David A. Rosenfeld
Lerach Coughlin Stoia Geller Rudman &
Robbins LLP
58 South Service Road, Suite 200
Melville, NY 11747
631/367-7100
631/367-1173 (fax)

Ellen Gusikoff Stewart
Lerach Coughlin Stoia Geller Rudman &
Robbins LLP
655 West Broadway, Suite 1900
San Diego, CA 92101-3301
Telephone: 619/231-1058
619/231-7423 (fax)

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